

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA,

Plaintiff,

– against –

THOMAS PUSHKAL, JENNIFER VANOVER, EDWARD  
PUSHKAL, FRANCES PUSHKAL, and MAPLEWOOD  
WARMBLOODS, LLC

Defendants.  
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**ORDER**

23-CV-6288 (CS)

Seibel, J.

On June 11, 2024, the Court ordered Thomas Pushkal, Jennifer Vanover, and Maplewood Warmbloods, LLC (“the Maplewood Defendants”) to respond to the Government’s narrowed discovery requests for customary financial disclosure forms, and tax returns from 2014 to the present, no later than June 18, 2024. (ECF No. 48.) On June 21, 2024, the Government informed the Court that the Maplewood Defendants failed to comply with the Court’s June 11 Order, and requested that the Court grant a discovery sanction pursuant to Federal Rule of Civil Procedure (“FRCP”) 37, prohibiting the Maplewood Defendants from offering evidence that the Government’s relief should be limited by their financial condition. (ECF No. 49.) On June 24, 2024, the Court ordered the Maplewood Defendants to show cause why they should not be sanctioned pursuant to FRCP 37 or FRCP 16 for failing to comply with the Court’s June 11 Order. (ECF No. 50.) The parties appeared for a show cause hearing on July 2, 2024.

It is hereby ORDERED, that by 5:00pm on July 3, 2024, the Maplewood Defendants shall provide to the Government either a completed IRS Form 8821 for each individual and the

company, or the tax returns for the same from 2014 to present. If the Maplewood Defendants fail to do so, they will be subject to a coercive fine of \$100 per day until they comply.

It is further ORDERED, that by 5:00pm on Monday, July 8, 2024, the Maplewood Defendants shall provide to the Government their financial disclosure forms, fully completed with all the requested information, including attachments. If the Maplewood Defendants fail to do so, they will be subject to a separate coercive fine of \$100 per day until they comply.

If fines become necessary, the Maplewood Defendants should understand that, in all likelihood, evidence as to their financial state will be precluded. Moreover, any further failure to comply with the Court's order could result in an increase of the coercive fine.

**SO ORDERED.**

Dated: July 2, 2024  
White Plains, New York



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CATHY SEIBEL, U.S.D.J.